

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

**BERKSHIRE HEALTHCARE
SYSTEMS, INC.,**

Plaintiff,

v.

ROYAL & SUN ALLIANCE,

Defendant.

CIVIL ACTION NO. 05-CV-30031-KPN

JOINT MOTION TO ADJOURN DATE OF SCHEDULING CONFERENCE

Plaintiff Berkshire Healthcare Systems, Inc. and Defendant Security Insurance Company of Hartford (d/b/a Royal & Sun Alliance) hereby jointly move for an order adjourning the scheduling conference that was to be held June 3, 2005, together with the deadline for filing a proposed scheduling order. In support, the parties state that they have been working diligently towards settlement of all claims. The parties are optimistic that the terms of a written settlement will be agreed and finalized within the next two weeks. The parties propose that they report back to the Court in writing by no later than June 8, 2005 as to whether a settlement has been finalized.

Respectfully submitted,

BERKSHIRE HEALTHCARE
SYSTEMS, INC.,
Plaintiff

By its attorney,

/s/ Lucy Prashker
Lucy Prashker (BBO# 405580)
CAIN HIBBARD MYERS & COOK, PC
Attorney for the Plaintiff
309 Main Street
Great Barrington, MA 01230
(413) 528-4771
(413) 528-6973 (fax)

SECURITY INSURANCE
COMPANY OF HARTFORD
Defendant

By its attorney

/s/ Kathleen M. Colbert
Kathleen M. Colbert, BBO #561174
WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP
155 Federal Street
Boston, MA 02110
(617) 422-5300

Dated: May 26, 2005